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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/760,580

01/16/2001

Keiko Mamiya

FUJY 18.239

4309

7590

08/25/2004

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New York, NY 10022

EXAMINER

TIEU, BENNY QUOC

ART UNIT

PAPER NUMBER

2642

11

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/760,580

**Applicant(s)**

MAMIYA ET AL.

**Examiner**

Benny Q. Tieu

**Art Unit**

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 3-14 and 17-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Election/Restrictions*

1. Applicant's election without traverse of Group I (claims 1, 2, 15 and 16) in the reply filed on July 6, 2004 is acknowledged.
2. Claims 3-14 and 17-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on July 6, 2004.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 2, 15 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Pepper et al. (U.S. Patent No. 5,930,700).

Regarding claim 1, Pepper et al. teach a communication service information providing method comprising the steps of:

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receiving a call used to select one of plural communication services, which is transmitted from a calling subscriber (Fig. 3, 302) to a called subscriber (Fig. 3, 200) that subscribes the plurality of communication services (column 5, lines 19-22); and

providing information related to another communication service subscribed to by the called subscriber with respect to the calling subscriber (column 6, lines 12-54).

Regarding claim 2, Pepper et al. teach a communication service information providing method comprising the steps of:

receiving a call used to select one of plural communication services, which is transmitted from a calling subscriber (Fig. 3, 302) to a called subscriber (Fig. 3, 200) that subscribes the plurality of communication services (column 5, lines 19-22);

providing information related to another communication service subscribed to by the called subscriber with respect to the calling subscriber (column 6, lines 12-54); and

when the calling subscriber selects one of other communication services from the provided information, trying to connect to the called subscriber by way of the selected another communication service (column 11, lines 1-17).

Regarding claim 15, Pepper et al. teach a communication network comprising:

reception means (Fig. 3, 304) for receiving a call used to select one of plural communication services from a calling terminal (Fig. 3, 302) with respect to a subscriber of a communication counter party (Fig. 3, 200) that wants to establish a communication and subscribes the plurality of communication services (column 5, lines 19-22); and

providing means (Fig. 3, 306) for providing information related to another communication service subscribed to by the subscriber 200 of the communication counter party

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that wants to establish the communication with respect to the calling terminal (column 6, lines 12-54).

Regarding claim 16, Pepper et al. teach a communication network comprising:  
reception means (Fig. 3, 304) for receiving a call used to select one of plural communication services from a calling terminal (Fig. 3, 302) with respect to a subscriber (Fig. 3, 200) of a communication counter party that wants to establish a communication and subscribes the plurality of communication services (column 5, lines 19-22);

providing means (Fig. 3, 306) for providing information related to another communication service subscribed to by the subscriber 200 of the communication counter party that wants to establish the communication with respect to the calling terminal (column 6, lines 12-54); and

connection means in which when the calling terminal selects one of other communication services from the provided information, the connection means tries to connect with the subscriber of the communication counter party that wants to establish the communication by using the selected another communication service (column 11, lines 1-17).

### ***Conclusion***

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

OR Hand-delivered responses should be brought to:

Crystal Park II, Sixth Floor (Receptionist)

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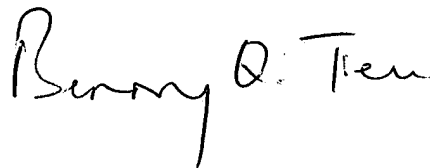
2121 Crystal Drive

Arlington, VA 22202.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**BENNY TIEU**  
**PRIMARY EXAMINER**

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August 21, 2004